

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON SEPTEMBER 11, 2001

MDL No. 1570
ECF case

This document relates to:

THOMAS BURNETT, SR., *et al.*

Plaintiffs

- against -

AL BARAKA INVESTMENT & DEVELOPMENT CORP., *et al.*,
Defendants.

Civil Action No. 03 CV 9849
(RCC)

**AFFIRMATION OF JUSTIN B. KAPLAN IN OPPOSITION TO MOTION TO STRIKE OF
CERTAIN DEFENDANTS**

Justin B. Kaplan, Esq., affirms as follows:

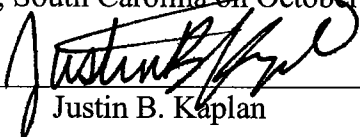
1. I am an attorney admitted pro hac vice to practice in this Court, and I am an Associate at the law firm Motley Rice LLC, co-counsel for the *Burnett* plaintiffs. I submit this affirmation in opposition to the motion of certain defendants to strike plaintiffs' papers filed in opposition to six motions to dismiss.

2. I retrieved the May 2003 List from the Motley Rice computer system believing that it was a true and correct copy of the Exhibit attached to the March 2003 Motion for Service by Publication and sent it to Ingrid Moll.

3. Attached to this affirmation as Exhibit 1 is a true and correct copy of the computer record showing that the document I retrieved was indeed created on March 24, 2003 and was last modified on May 7, 2003.

4. Further this affiant sayeth not.

Affirmed under penalty of perjury in Charleston, South Carolina on October 1, 2004


Justin B. Kaplan